



AIR QUALITY CONFERENCE OPERATING PERMITS / TITLE V

AMER SAFADI

May 31, 2005

KDHE Bureau of Air and Radiation



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■ Types of Operating Permits

- Class I, Title V, 40 CFR part 70
 - Major Sources
- Class II
 - Synthetic Minor
- Class III
 - True Minor



■ Class I Sources

- Major Source
- NSPS incinerator
- Acid Rain
- EPA designated category

■ Major Source

- Air pollutant PTE
 - 100 tpy
- HAP PTE
 - 10 tpy or 25 tpy

Class II Sources

- Sources which would otherwise require a Class I permit may apply for a Class II requesting PTE limitation to be below the major source threshold.
- Types of Limitations
 - Operational hours
 - Type or amount of materials combusted
 - Air Pollution Control Equipment
 - A combination of the above

■ Types of Class II Permits

- Class II Regular Permits and Modifications
- Class II General Permits
 - Rock Crushers
- Class II PBR
 - Reciprocating engines
 - Evaporative Organic Solvents
 - Hot Mix Asphalt
 - 50% Actual

Class I Operating Permits

- Purpose: to enable the source, state, EPA, and the public to better understand the AQ requirements to which the source is subject, and whether the source is meeting those requirements
- Combines all AQ requirements into one document
- Requires sources to review and correct their AQ requirements
- Correct and modify old permits and approvals
- Submits annual emission inventory reports

Class I Operating Permits Continue

- Establish monitoring, testing, and recordkeeping requirements
- Semi reporting and annual compliance certifications
- Federally enforceable

State Efforts

- Streamlining the process
 - Permit
 - Application
 - Concurrence procedures
 - Regulations team
 - Applying monitoring requirements, MACT, NSPS, and CAM
 - Website
 - Project managers
 - Permits issuance deadlines 30/180 days



■ Federal Efforts

- Clean Air Act Advisory Committee
 - Title V Task Force
 - Summary of Testimony



■ Operating Permit Application

- Currently being revised
- Completed Application Forms
- Three copies
- Fee
- Responsible Official Certification

Class I Application Revisions

- MOD-01 form describing modification made to the application
 - Physical and operational changes
- Updated or modified forms
 - Diagrams, charts, etc.
- Responsible Official Certification

■ Renewal Process

- Complete Application
- Marked up Initial Permit
- Verify application against permit
- Using copy of original application
- Updated diagrams
- Updated flowcharts
- New requirements
- Submit new forms if many changes
- Case-by-case formatting changes

■ Renewal Process (cont.)

- Application:
 - Submit 6-18 months before permit expires
 - Application fee
 - Original plus 2 copies
 - Additional copy for affected state
 - Responsible Official Certification – CR-01



■ Renewals & Communication



- Work with industry
- EPA Region VII
- Additional Monitoring



■ Other Renewal Information

- MACT
- CAM (Compliance Assurance Monitoring)



Title V Permit Revisions

[K.A.R. 28-19-513]

- Administrative Amendment
- Minor Modification
- Significant Modification
- Reopening
- Off Permit Modification
- 502(b)(10) Modification

Administrative Amendment

- Correction of typographical errors
- Name, address, phone number or similar minor administrative change
- Change in ownership or operation control
 - Written agreement containing specific date for transfer of permit responsibility, coverage, and liability between current and new permittee

Administrative Amendment (Cont'd)

- No public or affected states notice
- Changes can be implemented immediately after submittal of request

Minor Modification

- Applications
 - Meet Class I requirements
 - Suggested draft permit
 - Certification by R.O. that modification meets criteria
 - Include forms to notify EPA and affected states

Minor Modification (Cont'd)

- Source
 - Implement change immediately after submittal of application
 - Comply with proposed permit terms and conditions
 - Not required to comply with existing permit terms and conditions
- No public notice
- No permit shield

Significant Modification

- Modification other than minor modification, administrative amendment, or reopening
- Significant change in existing monitoring requirements
- Relaxation of reporting or record keeping requirements

Significant Modification (Cont'd)

- Class I Procedures

- Application
- Public and affected state notice
- EPA review

Nothing herein shall be construed to preclude the permittee from making changes consistent with this provision that would render existing permit compliance terms and conditions irrelevant

■ Reopening

- New applicable requirement
 - Remaining permit term of 3 or more years
 - Reopening is not required if compliance date of requirement is after permit expiration date

■ Reopening (Cont'd)

- Additional requirements for Acid Rain sources
- Material mistake/inaccurate statements
- Assure compliance with applicable requirements
- Class I procedures
 - Only affects affected parts
- Notice of intent (30 days) to reopen is provided to source



Off Permit Modification

- Not an Acid Rain source
- Not modifications under Title I
- Change can not violate existing permit conditions

Off Permit Modification (Cont'd)

- Description of change, date of change, pollutants emitted, change in emissions, applicable requirements
- Keep records of the change, emissions, etc.
- No permit shield

■ 502(b)(10) Modification

- Similar to Off Permit Modifications
 - Not modifications under Title I
 - Do not cause emissions in excess of any emission limit
 - Do not alter permit conditions

■ 502(b)(10) Modification (Cont'd)

- Written Notice to KDHE and EPA seven days prior
 - Description of change, date of change, change in emissions, permit conditions that are no longer applicable
 - Notice must be attached to the permit (source, KDHE, EPA)

502(b)(10) Modification (Cont'd)

- Acid Rain sources
- No permit shield



■ Other Issues

- Class II to Class I
- Class I to Class II



■ END

■ Questions?